

The Law Office of Charles T. Riggs Jr.

PATENTS – TRADEMARKS – COPYRIGHTS

551 Forest Avenue

River Forest, Illinois 60305

708-828-6130

February 5, 2024

VIA U.S. CERTIFIED MAIL (Return Receipt Requested)

Holy Cow
34 Canal Street
New York, NY 10002

Re: **Unauthorized use of the mark “HOLY COW!”**

Dear Sir or Madam:

Please be advised that Harry Caray, Ltd. is the owner of U.S. Service Mark Registration No. 3,141,729 for the mark “HOLY COW!” for restaurant and bar services (copy attached as Exhibit A). Harry Caray, Ltd. also owns the rights to the name, image, likeness and persona of Harry Caray, including his catch phrase HOLY COW!

Please be advised that your use of the mark HOLY COW in connection with your restaurant services (screenshot of webpage www.holycow.nyc attached as Exhibit B) infringes upon the above identified registration, as consumers are likely to be confused, believing that your restaurant services emanate from, are affiliated with or are somehow sponsored by Harry Caray, Ltd. when in fact they are not. Such use constitutes unfair competition, false endorsement, and trademark infringement.

Therefore, Harry Caray, Ltd. must request that you cease and desist from such infringing activities. While Harry Caray, Ltd. wishes to resolve this matter in an amicable fashion, please be advised that we have all necessary legal remedies, including injunctive relief and damages, available to us to compel you to cease and desist all infringing acts if an amicable resolution cannot be reached. We sincerely hope that litigation is not necessary.

Please inform us no later than **February 29, 2024** that you will cease and desist use of the mark HOLY COW in connection with your restaurant services, and that you will otherwise assist us in achieving an amicable resolution of this matter.

Nothing contained herein should be construed as a waiver of any rights or remedies which Harry Caray, Ltd. may have, all of which are expressly reserved.

Thank you in advance for your cooperation.

Sincerely,



Charles T. Riggs Jr.
riggs@riggs.pro

cc: Harry Caray, Ltd

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,141,729

Registered Sep. 12, 2006

**SERVICE MARK
PRINCIPAL REGISTER**

HOLY COW!

HARRY CARAY, LTD. (ILLINOIS CORPORATION)
14TH FLOOR
116 S. MICHIGAN AVE
CHICAGO, IL 60603

FOR RESTAURANT AND BAR SERVICES IN
CLASS 43 (U.S. CLS. 100 AND 101).

FIRST USE 10-21-1987; IN COMMERCE 10-21-1987.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NO. 3,216,797.

SER. NO. 78-717,533, FILED 9-21-2005.

HOWARD B. LEVINE, EXAMINING ATTORNEY

EXHIBIT A

Exhibit 15

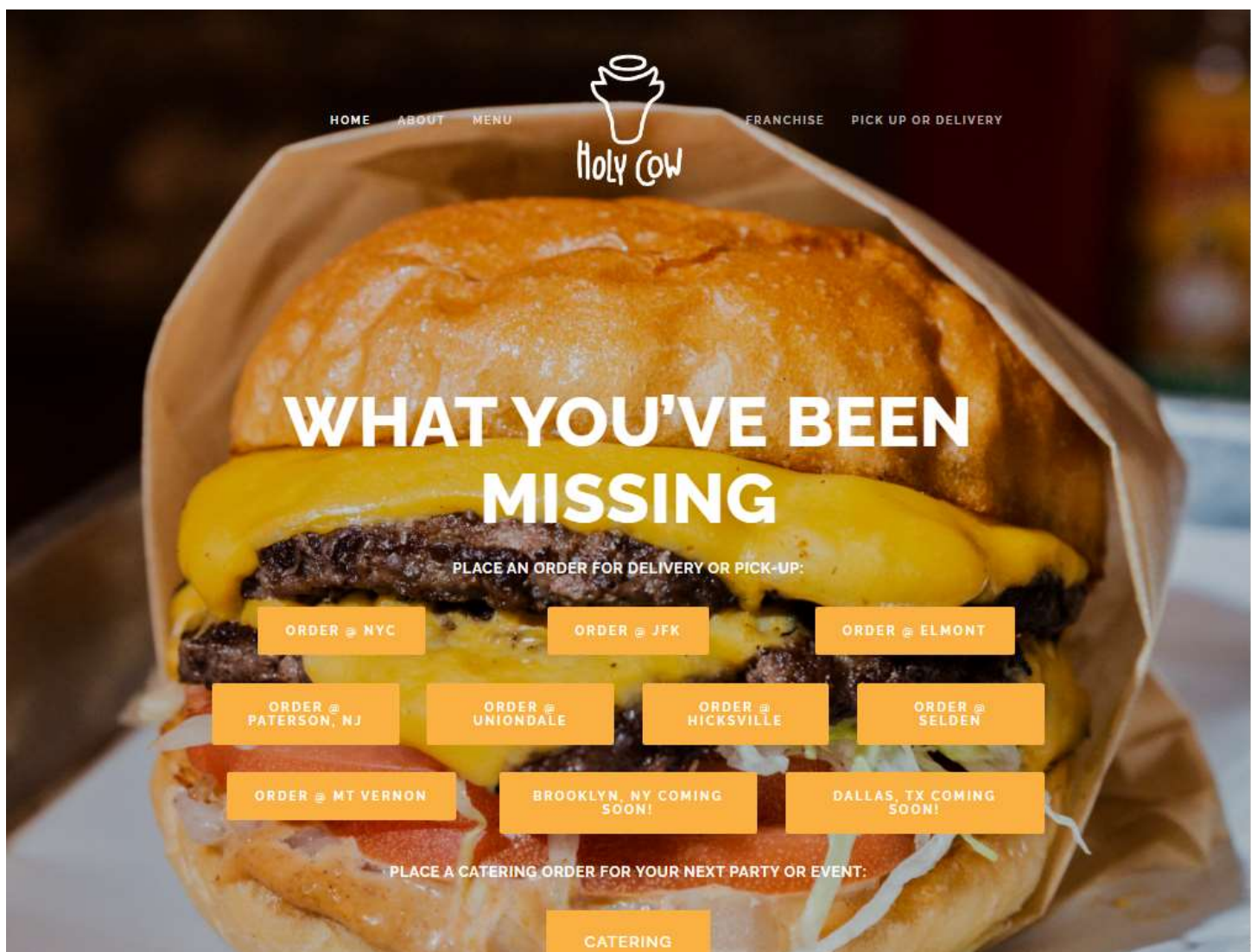


EXHIBIT B

Exhibit 15